**AMENDMENT TRANSMITTAL LETTER**Docket No.  
3868-0113PApplication No.  
10/089,444-Conf. #6939Filing Date  
May 22, 2002Examiner  
M. P. YoungArt Unit  
1615

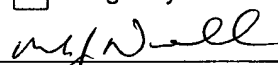
Applicant(s): FALKENHAUSEN, VON et al.

Invention: PREPARATION CONTAINING ACTIVE AND/OR AUXILIARY SUBSTANCES, WITH  
CONTROLLABLE RELEASE OF SAID SUBSTANCES, AS WELL AS ITS USE AND  
MANUFACTUREMS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	24	- 23 =	1	x 50.00	50.00
Independent Claims	1	- 5 =	0	x 0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within third month					1,020.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					1,070.00

☒ Large Entity☐ Small Entity☐ No additional fee is required for this amendment.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.☒ A check in the amount of \$ 1,070.00 to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-2448  
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.  
Mark J. Nuell, Ph.D.  
Attorney Reg. No.: 36,623

Dated: June 15, 2005

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Docket No.: 3868-0113P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
FALKENHAUSEN, VON et al.

Application No.: 10/089,444

Confirmation No.: 6939

Filed: May 22, 2002

Art Unit: 1615

For: PREPARATION CONTAINING ACTIVE  
AND/OR AUXILIARY SUBSTANCES,  
WITH CONTROLLABLE RELEASE OF  
SAID SUBSTANCES, AS WELL AS ITS  
USE AND MANUFACTURE

Examiner: M. P. Young

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated December 16, 2004, the period for response having been extended three (3) months to June 16, 2005, please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this paper.

Application No.: 10/089,444

Docket No.: 3868-0113P

**Remarks/Arguments** begin on page 12 of this paper.